

From: [Jackson, Felicia](#)
To: [R4 SEMS Records](#)
Subject: FW: Oak-Bark Corp., Mr. Oakley, & Mr. Barker CERCLA 104(e) information requests
Date: Wednesday, March 31, 2021 12:16:13 PM
Attachments: [Wright Chem Site-cover letter-104\(e\)- OBC, Oakley, & Barker- 2-9-2021.pdf](#)
[Enclosure A- Wright Chem Site-104\(e\) Qs- OBC-2-9-2021.docx](#)
[Enclosure B- Wright Chem Site-104\(e\) Qs-Mr. Oakley- 2-9-2021.docx](#)
[Enclosure C- Wright Chem Site-104\(e\) Qs- Mr. Barker- 2-9-2021.docx](#)
[Financial Statement of Corporate Debtor.docx](#)
[Individual Financial Data Req. Form.docx](#)
[Oak-Bark Statements of Income 2014 - 2009.pdf](#)
[Oak-Bark Balance Sheets 2014 - 2009.pdf](#)
[Oak-Bark Statements of Stockholders Equity 2014 - 2009.pdf](#)

From: Benjamin, Deborah <Benjamin.Deborah@epa.gov>
Sent: Tuesday, February 9, 2021 2:39 PM
To: tmcgowan@mnmk.com; 'tmcgowan@mcgrathnorth.com' <tmcgowan@mcgrathnorth.com>
Cc: oakleyb@oak-bark.com; barkerepa@gmail.com; Zeller, Craig <Zeller.Craig@epa.gov>; Acker, Adam <acker.adam@epa.gov>; Jackson, Felicia <Jackson.Felicia@epa.gov>; Montanez, Yeliann <Montanez.Yeliann@epa.gov>
Subject: Oak-Bark Corp., Mr. Oakley, & Mr. Barker CERCLA 104(e) information requests

Dear Mr. McGowan:

Attached please find the following time-sensitive material: EPA's Cover Letter, and Enclosures A, B, and C, which are respectively EPA's CERCLA 104(e) Questions for Oak Bark Corp., William Oakley, and James Barker.

Also attached are the following two documents: Financial Statement of Corporate Debtor, and Individual Financial Data Request Form.

Additionally, attached for your convenience are three sets of documents previously submitted to EPA by Oak-Bark Corp. consisting of the following: 1) Statements of Income 2014-2009; 2) Balance Sheets 2014-2009; and 3) Statements of Stockholders Equity 2014-2009.

Please be aware that responses to these information requests are due within 14 calendar days. Should you have any questions pertaining to this transmission please feel free to contact me.

Sincerely,

Deborah Benjamin
Associate Regional Counsel
U.S. EPA, Region 4
404-562-9561



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

February 9, 2021

INFORMATION REQUEST
URGENT LEGAL MATTER – PROMPT REPLY NECESSARY
VIA E-MAIL

Thomas C. McGowan
McGrath North Mullin & Kratz, PC LLO
First National Tower, Suite 3700
1601 Dodge Street
Omaha, Nebraska 68102
tmcgowan@mnmk.com
oakley@oak-bark.com
barkerepa@gmail.com

Re: Request for Information for the Wright Chemical Corporation Site
Riegelwood, Columbus County, North Carolina

Dear Mr. McGowan:

On September 21, 2020, the EPA transmitted to Oak-Bark Corporation a draft Administrative Settlement Agreement and Order on Consent for Removal Action (AOC), which the EPA believes is the best strategy to expedite cleanup of the Wright Chemical Corporation Site (the Site) located at 333 Niels Eddy Road, Riegelwood, North Carolina. During a teleconference on October 21, 2020, you informed the EPA that Oak-Bark Corporation will not be signing the AOC since it lacks the financial ability to fund or contribute to the performance of a non-time critical removal action (NTCRA). Accordingly, pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604(e), the EPA requests that your clients, Oak-Bark Corporation, William E. Oakley, and James C. Barker, complete the Information Requests attached hereto as **Enclosure A**, **Enclosure B**, and **Enclosure C**.

Compliance with the Information Request is mandatory. Failure to respond fully and truthfully to the Information Request within **14 calendar days** from the date of your receipt of this letter, or adequately to justify such failure to respond, can result in enforcement action by the EPA against your clients pursuant to Section 104(e) of CERCLA, 42 U.S.C. § 9604(e). This statute permits the EPA to seek the imposition of penalties of up to \$59,017 for each day of continued non-compliance. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject your clients to criminal penalties under 18 U.S.C. § 1001. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 et seq.

Please submit your clients' responses to me by e-mail at benjamin.deborah@epa.gov and by e-mail to Felicia Jackson, Enforcement Project Manager, at jackson.felicia@epa.gov within **14 calendar days** from

the date of your receipt of this letter. Your clients' responses should be contemporaneously submitted by mail to U.S. EPA Region 4, 61 Forsyth Street, S.W., Atlanta, Georgia 30303. Should you have any questions pertaining to this letter, please contact me at (404) 562-9561.

Thank you for your cooperation in this matter.

Sincerely,

DEBORAH
BENJAMIN

Digitally signed by
DEBORAH BENJAMIN
Date: 2021.02.09
12:07 22 -05'00'

Deborah Benjamin
Associate Regional Counsel

Enclosures:

- A. 104(e) Information Request Instructions, Definitions and Questions for Oak-Bark Corporation
- B. 104(e) Information Request Instructions, Definitions and Questions for William E. Oakley
- C. 104(e) Information Request Instructions, Definitions and Questions for James C. Barker

ENCLOSURE A - INFORMATION REQUEST FOR OAK-BARK CORPORATION
WRIGHT CHEMICAL CORPORATION SITE

Instructions

1. A separate response must be made to each of the questions set forth in this Information Request.
2. Precede each answer with the corresponding number of the question and the subpart to which it corresponds.
3. In answering each question, identify all documents and persons that contributed information relating to each question.
4. For each document produced in response to this Information Request indicate on the document, or in some other reasonable manner, the number of the question and the subpart to which it responds.
5. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available, you must supplement your response to the EPA. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA thereof as soon as possible.
6. The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. Sections 9604(e)(7)(E) and (F); Section 3007(b) of RCRA, 42 U.S.C. Section 6927(b); and 40 C.F.R. Section 2.203(b).

To make a confidentiality claim, please write or type "CONFIDENTIAL" on all confidential responses and any related confidential documents. Confidential portions of otherwise nonconfidential documents should be clearly identified. You should indicate a date, if any, after which the information need no longer be treated as confidential. Please submit your response so that all nonconfidential information, including any redacted versions of documents are in one envelope, and all materials for which you desire confidential treatment are in another envelope.

If no such claim accompanies the information when it is received by the EPA, it may be made available to the public by the EPA without further notice to you. You should read the above cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

7. Personnel, medical files, and similar files in which the disclosure to the general public may constitute an invasion of privacy should be segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information."

8. Where specific information has not been memorialized in any document, but is nonetheless responsive to a question, you must respond to the question with a written response.
9. If information responsive to this Information Request is not in your possession, custody, or control, then identify the person from whom such information may be obtained.
10. If you have objections to some or all of the questions within the Information Request, you are still required to respond to each of the questions.

Definitions

The following definitions shall apply to the following words as they appear in **Enclosure A**:

1. The term "you" or "Respondent" shall mean Oak-Bark Corporation.
2. The term "person" shall have the same definition as in Section 101(21) of CERCLA: an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, United States Government, State, municipality, commission, political subdivision of a State, or any interstate body.
3. The terms the "Site" or the "facility" shall mean the Wright Chemical Corporation Site and include the property on or about 333 Niels Eddy Road, Riegelwood, Columbus, North Carolina.
4. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
5. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
6. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number, if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.
7. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreement and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intra office communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc or disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with printouts of such punch card, disc, or disc pack, tape or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produces, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document, and (e) every document referred to in any other document.
8. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.

9. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions.

10. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, 40 C.F.R. Part 300, or 40 C.F.R. Parts 260-280, in which case the statutory or regulatory definitions shall apply.

11. The term "property interest" means any interest in real property including but not limited to, any ownership interest, including an easement, any interest in the rental of property, any interest in a corporation that owns or rents or owned or rented property, and any interest as either the trustee or beneficiary of a trust that owns or rents, or owned or rented property.

12. The term "asset" shall include the following: real estate, buildings or other improvements of real estate, equipment, vehicles, furniture, inventory, supplies, customer lists, accounts receivable, interest in insurance policies, interests in partnerships, corporations and unincorporated companies, securities, patents, stocks, bonds, and other tangible as well as intangible property.

Information Request Questions for Oak-Bark Corporation

1. Identify the persons answering these questions on behalf of each Respondent, including all persons consulted in answering these questions and the documents consulted, examined, or referred to in preparation of answering these questions. Provide true and accurate copies of all such relevant documents.
2. Identify each person who has owned stock in Oak-Bark Corporation from November 1, 2004, through the present, and for each such person provide:
 - (a) their full name, address, and telephone number;
 - (b) the dates on which the person acquired their shares;
 - (c) the consideration paid or promised for the shares and the dates on which the consideration was paid or promised;
 - (d) the number of shares owned, and the percentage of shares owned as measured against the total outstanding shares of Oak-Bark Corporation;
 - (e) if either the total outstanding shares of Oak-Bark Corporation or the percentage of shares owned by individual shareholders changed over time, explain those changes, and provide names and dates;
 - (f) the history of dividends received and the dates on which dividends were received resulting from ownership of capital stock in Oak-Bark Corporation; and,
 - (g) provide copies of any relevant documents.
3. Summarize how Oak-Bark Corporation was capitalized upon its incorporation, including:
 - (a) the identity of each person who purchased or subscribed to stock;
 - (b) the number of shares purchased or subscribed by each such person;
 - (c) the amount paid or promised for the shares purchased or subscribed by each such person and the dates of each such payment; and,
 - (d) provide copies of any relevant documents.
4. Identify each person who has served as an officer or management-level employee of Oak-Bark Corporation from November 1, 2004, through the present, and for each such person, provide:
 - (a) their full name, address, and telephone number;

- (b) the offices or positions held and the applicable dates;
 - (c) the salary, benefits, and any other compensation paid to the person for each position by year; and,
 - (d) the duties and responsibilities of each position and the tasks performed both on an occasional and a day-to-day basis.
5. Has Oak-Bark Corporation ever made a loan or extended a line of credit to its employees? If so, provide:
- (a) the amount of the loan or value of the asset;
 - (b) a description of the loan or asset;
 - (c) applicable dates;
 - (d) the loan or line of credit;
 - (e) the name of the employee to whom the loan or line of credit was extended;
 - (f) the balance still owed if any; and,
 - (g) provide copies of any relevant documents (e.g. loan agreement, promissory note, etc.).
6. Identify all property, pollution and/or casualty liability insurance policies issued to Oak-Bark Corporation from November 1, 2004, through the present, including insurance policies providing Oak-Bark Corporation with liability insurance relating to the Site. For each policy, state:
- (a) the name and address of each insurer and insured;
 - (b) the amount of coverage under each policy, and each policy number;
 - (c) the dates of coverage;
 - (d) a list of claims made against any of the policies (claim number and description of claim); and,
 - (e) provide copies of any relevant documents (e.g. declarations, and include all policies in their entirety).
7. Has Oak-Bark Corporation at any time since November 1, 2004 conveyed by gift or otherwise any asset or property interest to another person? If so, provide:
- (a) the name and address of the person to whom such asset or property interest was conveyed;

- (b) the fair market value of such asset or property interest on the date of conveyance;
 - (c) the dates of any conveyances;
 - (d) consideration or payment received by Oak-Bark Corporation; and,
 - (e) provide copies of any relevant documents.
8. Provide copies of Oak-Bark Corporation's financial statements and profit and loss statements for the preceding five years (2015 through 2019), and for the years 2006 through 2008.
9. Provide copies of Oak-Bark Corporation's annual reports, internal and external financial statements, or projections prepared for the preceding five years (2015 to 2019), and for the years 2006 through 2008.
10. Provide copies of all bank loan applications submitted by Oak-Bark Corporation from 2006 through 2019.
11. Provide all Oak-Bark Corporation's Board meeting notes dated from 2006 through 2019.
12. With respect to the 2006 Asset Purchase Agreement with Hexion, please provide the following:
- (a) The amount Oak-Bark Corporation received of the total (b) (4) purchase price; how such funds were distributed; and provide copies of financial and accounting documentation regarding the disposition of this money;
 - (b) The amount Oak-Bark Corporation receive of the (b) (4) paid upon closing; how such funds were distributed; and provide copies of financial and accounting documentation regarding the disposition of this money;
 - (c) The amount Oak-Bark Corporation received of the (b) (4) allocated to wind-up costs and bonuses; how such funds were distributed; and provide copies of financial and accounting documentation regarding the disposition of this money;
 - (d) The amount Oak-Bark Corporation received from the disbursement of (b) (4) held in escrow and released pursuant to court order; how such funds were distributed; and provide copies of financial and accounting documentation regarding the disposition of this money.
13. With respect to the 2009 Asset Purchase Agreement with Silar, please provide the following:
- (a) The amount Oak-Bark Corporation received of the (b) (4) purchase price; how such funds were distributed; and provide copies of financial and accounting documentation indicating disposition of the money;

- (b) The amount Oak-Bark Corporation received of the (b) (4) due upon closing; how such funds were distributed; and provide copies of financial and accounting documentation indicating disposition of the money;
 - (c) The amount Oak-Bark Corporation received of the (b) (4) paid by promissory note; how such funds were distributed; and provide copies of financial and accounting documentation indicating disposition of the money;
 - (d) The amount Oak-Bark Corporation received upon release of the (b) (4) held in escrow, how such funds were distributed, and provide copies of financial and accounting documentation indicating disposition of the money.
14. Oak-Bark Corporation's Statements of Income and Comprehensive Income for the years ended Dec. 31, 2010 and 2009 (*See* attachment) show income of (b) (4) from "discontinued operations." Please provide the source of that (b) (4) (e.g., sale of assets, to whom, and date), and provide copies of financial and accounting documentation indicating disposition of that money.
15. Oak-Bark Corporation's Balance Sheets for Dec. 31, 2009, through Dec. 31, 2014 (*See* attachment), show "accrued environmental costs" as follows: 2009 (b) (4); 2010 (b) (4); 2011 (b) (4); 2012 (b) (4); 2013 (b) (4); and 2014 (b) (4). For each of these years, please provide information on these liabilities as follows:
- (a) The amounts that Oak-Bark Corporation actually spent on environmental costs;
 - (b) copies of all contracts with outside vendors showing environmental work to be performed and costs;
 - (c) copies of all contractor invoices showing descriptions of environmental work and billing; and,
 - (d) copies of all proof of payments for any of the expenditures described in (a), (b), and (c) above, including cancelled checks, correspondence, and supporting financial and accounting documentation.
16. Oak-Bark Corporation's Statements of Stockholders Equity for the years ended Dec. 31, 2009 through 2012 (*See* attachment) shows yearly shareholder distributions as follows: 2009 (b) (4); 2010 (b) (4); 2011 (b) (4), and 2012 (b) (4). For each yearly distribution please provide:
- (a) a breakdown including each shareholder's name, address, phone number, amount(s) received, and date(s);
 - (b) the source of the money (e.g., business operations, sale of assets, etc.);
 - (c) copies of all relevant documentation.

17. To determine Oak Bark Corporation's financial ability to pay, complete the Financial Statement of Corporate Debtor attached hereto and provide copies of signed federal and state tax returns, including schedules and attachments, for the preceding five years (2015 through 2019), and for the years 2006 through 2008.

ENCLOSURE B - INFORMATION REQUEST FOR WILLIAM E. OAKLEY
WRIGHT CHEMICAL CORPORATION SITE

Instructions

1. A separate response must be made to each of the questions set forth in this Information Request.
2. Precede each answer with the corresponding number of the question and the subpart to which it corresponds.
3. In answering each question, identify all documents and persons that contributed information relating to each question.
4. For each document produced in response to this Information Request indicate on the document, or in some other reasonable manner, the number of the question and the subpart to which it responds.
5. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available, you must supplement your response to the EPA. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA thereof as soon as possible.
6. The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. Sections 9604(e)(7)(E) and (F); Section 3007(b) of RCRA, 42 U.S.C. Section 6927(b); and 40 C.F.R. Section 2.203(b).

To make a confidentiality claim, please write or type "CONFIDENTIAL" on all confidential responses and any related confidential documents. Confidential portions of otherwise nonconfidential documents should be clearly identified. You should indicate a date, if any, after which the information need no longer be treated as confidential. Please submit your response so that all nonconfidential information, including any redacted versions of documents are in one envelope, and all materials for which you desire confidential treatment are in another envelope.

If no such claim accompanies the information when it is received by the EPA, it may be made available to the public by the EPA without further notice to you. You should read the above cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

7. Personnel, medical files, and similar files in which the disclosure to the general public may constitute an invasion of privacy should be segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information."
8. Where specific information has not been memorialized in any document, but is nonetheless responsive to a question, you must respond to the question with a written response.

9. If information responsive to this Information Request is not in your possession, custody, or control, then identify the person from whom such information may be obtained.

10. If you have objections to some or all of the questions within the Information Request, you are still required to respond to each of the questions.

Definitions

The following definitions shall apply to the following words as they appear in **Enclosure B**:

1. The term "you" or "Respondent" shall mean William E. Oakley.
2. The term "person" shall have the same definition as in Section 101(21) of CERCLA: an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, United States Government, State, municipality, commission, political subdivision of a State, or any interstate body.
3. The terms the "Site" or the "facility" shall mean and include the property on or about 333 Niels Eddy Road, Riegelwood, Columbus, North Carolina.
4. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA and includes any mixtures of such pollutants and contaminants with any other substances. Petroleum products mixed with pollutants and contaminants are also included in this definition.
5. The term "hazardous waste" shall have the same definition as that contained in Section 1004(5) of the Resource Conservation and Recovery Act (RCRA).
6. The term "hazardous material" shall mean all hazardous substances, pollutants or contaminants, and hazardous wastes, as defined above.
7. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
8. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
9. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number, if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.
10. The term "release" has the same definition as that contained in Section 101(22) of CERCLA, 42 U.S.C. Section 9601(22), and includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.
11. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including

meetings, agreement and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intra office communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc or disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with printouts of such punch card, disc, or disc pack, tape or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which it produces, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document, and (e) every document referred to in any other document.

12. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.

13. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions.

14. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, 40 C.F.R. Part 300, or 40 C.F.R. Parts 260-280, in which case the statutory or regulatory definitions shall apply.

15. The term "property interest" means any interest in real property including but not limited to, any ownership interest, including an easement, any interest in the rental of property, any interest in a corporation that owns or rents or owned or rented property, and any interest as either the trustee or beneficiary of a trust that owns or rents, or owned or rented property.

16. The term "asset" shall include the following: real estate, buildings or other improvements of real estate, equipment, vehicles, furniture, inventory, supplies, customer lists, accounts receivable, interest in insurance policies, interests in partnerships, corporations and unincorporated companies, securities, patents, stocks, bonds, and other tangible as well as intangible property.

Information Request Questions for William E. Oakley

1. Identify the persons answering these questions on behalf of each Respondent, including all persons consulted in answering these questions and the documents consulted, examined, or referred to in preparation of answering these questions. Provide true and accurate copies of all such relevant documents.
2. Have you ever owned stock in Oak-Bark Corporation? If so, state:
 - (a) the dates upon which you acquired shares;
 - (b) the consideration paid or promised for the shares and the dates on which the consideration was paid or promised;
 - (c) the number of shares owned, and the percentage of shares owned as measured against the total outstanding shares of Oak-Bark Corporation;
 - (d) if either the total outstanding shares of Oak-Bark Corporation or the percentage of shares you owned changed over time, explain those changes and provide dates;
 - (e) the history of dividends and the dates on which dividends were received by you resulting from your ownership of capital stock in Oak-Bark Corporation; and
 - (f) provide copies of all relevant documents.
3. Have you ever owned stock in Wright Chemical Corporation? If so, state:
 - (a) the dates upon which you acquired shares;
 - (b) the consideration paid or promised for the shares and the dates on which the consideration was paid or promised;
 - (c) the number of shares owned, and the percentage of shares owned as measured against the total outstanding shares of Wright Chemical Corporation; and,
 - (d) the history of dividends and the dates on which dividends were received by you resulting from your ownership of capital stock in Wright Chemical Corporation.
4. Describe, in detail, each position you have held with Oak-Bark Corporation from November 1, 2004, through the present. For each position, state:
 - (a) the offices or positions held and the applicable dates;
 - (b) the salary, benefits, distributions, and any other compensation paid to you on a yearly basis;

- (c) the duties and responsibilities both on an occasional and a day-to-day basis;
 - (d) the tasks you performed both on an occasional and a day-to-day basis;
 - (e) whether you ever had an on-Site office;
 - (f) whether you ever had any decision-making authority over the hazardous substances, hazardous wastes, or hazardous materials, used, purchased, generated, stored, treated, disposed, or otherwise handled at the Site. If not, identify everyone who had such authority;
 - (g) on average, how many days per week you spent at the Site; and,
 - (h) how many employees and/or contractors you supervised, oversaw, or managed.
5. Describe, in detail, each position you held with Wright Chemical Corporation from January 1, 1984, through November 1, 2004. For each position, state:
- (a) the offices or positions held and the applicable dates;
 - (b) the salary, benefits, distributions, and any other compensation paid to you;
 - (c) the duties and responsibilities both on an occasional and a day-to-day basis;
 - (d) the tasks you performed both on an occasional and a day-to-day basis;
 - (e) whether you ever had an on-Site office;
 - (f) whether you ever had any decision-making authority over the hazardous substances, hazardous wastes, or hazardous materials, used, purchased, generated, stored, treated, disposed, or otherwise handled at the Site. If not, identify everyone who had such authority;
 - (g) on average, how many days per week you spent at the Site; and,
 - (h) how many employees and/or contractors you supervised, oversaw, or managed.
6. Have you ever provided any training of any nature to any officer, director, or employee of Oak-Bark Corporation or Wright Chemical Corporation? If so, for each training, provide:
- (a) a complete description of the training;
 - (b) who it was offered to;
 - (c) who participated in it;

- (d) when and where it was conducted; and,
 - (e) the name of the corporation under which you conducted such training.
7. At any point in your tenure at Oak-Bark Corporation, were you authorized to hire or fire employees of Oak-Bark Corporation? If so, state:
- (a) each position you held which gave you such authority; and,
 - (b) the applicable dates.
8. At any point in your tenure at Wright Chemical Corporation, were you authorized to hire or fire employees of Wright Chemical Corporation? If so, state:
- (a) each position you held which gave you such authority; and,
 - (b) the applicable dates.
9. At any point in your tenure at Oak-Bark Corporation, were you authorized to negotiate or enter into contracts with vendors or contractors concerning the handling of hazardous substances at and/or disposal of hazardous wastes from the Site? If so, state:
- (a) each position you held which gave you such authority; and,
 - (b) the applicable dates.
10. At any point in your tenure at Wright Chemical Corporation, were you authorized to negotiate or enter into contracts with vendors or contractors concerning the handling of hazardous substances at and/or disposal of hazardous substances from the Site? If so, state:
- (a) each position you held which gave you such authority; and,
 - (b) the applicable dates.
11. Identify any and all of your communications with federal, state, and local environmental regulators which have concerned environmental matters at the Site, including, but not limited to, permitting, violations, non-compliance, and inspections, during your tenure at Oak-Bark Corporation. For each communication, provide:
- (a) a complete description of the communication;
 - (b) the nature (e.g. written, electronic, or verbal);
 - (c) the purpose;
 - (d) the persons involved in; and,

- (e) the date of each such communication.
12. Identify any and all of your communications with federal, state, and local environmental regulators which have concerned environmental matters at the Site, including, but not limited to, permitting, violations, non-compliance and inspections, during your tenure at Wright Chemical Corporation. For each communication, provide:
- (a) a complete description of the communication;
 - (b) the nature (e.g. written, electronic, or verbal);
 - (c) the purpose;
 - (d) the persons involved in; and,
 - (e) the date of each such communication.
13. Identify any legal or equitable property interest that you now have or previously had in the real property at or surrounding Site. In your response, provide:
- (a) the nature of your interest;
 - (b) the applicable dates;
 - (c) how you acquired such interest; and,
 - (d) from who you acquired such interest.
14. Have you ever made a loan or extended a line of credit to Oak-Bark Corporation or Wright Chemical Corporation? If so, provide:
- (a) the amount of the loan or value of the asset;
 - (b) a description of the loan or asset;
 - (c) applicable dates;
 - (d) your position at the time of the loan or line of credit;
 - (e) corporation to whom the loan or line of credit was extended;
 - (f) the balance still owed to you, if any; and,
 - (g) provide copies of any relevant documents (e.g. loan agreement, promissory note, etc.).

15. Have you ever borrowed money from Oak-Bark Corporation or Wright Chemical Corporation to secure a personal loan for yourself or establish a line of credit for yourself, whether or not such line has ever been drawn upon? If so, provide:
- (a) the amount of the loan or value of the asset;
 - (b) a description of the loan or asset;
 - (c) applicable dates;
 - (d) your position at the time of the loan or line of credit;
 - (e) who extended you the loan or line of credit;
 - (f) the balance still owed by you if any; and,
 - (g) provide copies of any relevant documents (e.g. loan agreement, promissory note, etc.).
16. Have you ever guaranteed or cosigned any obligation of Oak-Bark Corporation or Wright Chemical Corporation?
- (a) the nature of the obligation;
 - (b) the total amount of the obligation;
 - (c) the date on which you guaranteed or cosigned the obligation; and,
 - (d) provide copies of any relevant documents.
17. Has Oak-Bark Corporation or Wright Chemical Corporation ever guaranteed or cosigned any of your obligations?
- (a) the nature of the obligation;
 - (b) the total amount of the obligation;
 - (c) the date on which you guaranteed or cosigned the obligation; and,
 - (d) provide copies of any relevant documents.
18. Identify all property, pollution and/or casualty liability insurance policies issued to you from January 1, 1984, through the present. For each policy, state:
- (a) the name and address of each insurer and insured;
 - (b) the amount of coverage under each policy, and each policy number;

- (c) the dates of coverage;
 - (d) a list of claims made against any of the policies (claim number and description of claim); and,
 - (e) provide copies of any relevant documents (e.g. declarations, and include all policies in their entirety).
19. Have you ever leased or rented any furnishings, fixtures, equipment, personal, or real property from or to Oak-Bark Corporation? If so, provide a complete description of the type of property leased or rented, and the terms and duration of such arrangement.
20. Have you ever leased or rented any furnishings, fixtures, equipment, personal, or real property from or to Wright Chemical Corporation? If so, provide a complete description of the type of property leased or rented, and the terms and duration of such arrangement.
21. With respect to the 2006 Asset Purchase Agreement with Hexion, please provide the following:
- (a) The amount you received of the total (b) (4) purchase price; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation regarding the disposition of this money;
 - (b) The amount you received of the (b) (4) due upon closing; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation regarding the disposition of this money;
 - (c) The amount you received (b) (4) allocated for wind-up costs and bonuses; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation regarding the disposition of this money;
 - (d) The amount you received from the disbursement of (b) (4) held in escrow and released pursuant to court order; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation regarding the disposition of this money.
22. With respect to the 2009 Asset Purchase Agreement with Silar, please provide the following:
- (a) The amount you received of the (b) (4) purchase price; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation indicating disposition of the money;

- (b) The amount you received of the (b) (4) due upon closing; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation indicating disposition of the money;
 - (c) The amount you received of the (b) (4) paid by promissory note; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation indicating disposition of the money;
 - (d) The amount you received upon release of the (b) (4) held in escrow; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation indicating disposition of the money.
23. Have you ever received bonuses, and/or extra funds, or assets, in addition to your annual salary, during your tenure at Oak-Bark Corporation? If so, please provide:
- (a) the years and amounts, and identify all financial institutions and accounts receiving that money;
 - (b) a narrative summary and documentation accounting for money spent; and,
 - (c) appropriately labeled contemporaneous documentation supporting all your answers.
24. To further determine your financial ability to pay, complete the Individual Financial Data Request Form attached hereto, and provide true and accurate copies of your signed federal and state tax returns, including all schedules and attachments, for 2006 through 2019.

ENCLOSURE C- INFORMATION REQUEST FOR JAMES C. BARKER
WRIGHT CHEMICAL CORPORATION SITE

Instructions

1. A separate response must be made to each of the questions set forth in this Information Request.
2. Precede each answer with the corresponding number of the question and the subpart to which it corresponds.
3. In answering each question, identify all documents and persons that contributed information relating to each question.
4. For each document produced in response to this Information Request indicate on the document, or in some other reasonable manner, the number of the question and the subpart to which it responds.
5. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available, you must supplement your response to the EPA. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA thereof as soon as possible.
6. The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. Sections 9604(e)(7)(E) and (F); Section 3007(b) of RCRA, 42 U.S.C. Section 6927(b); and 40 C.F.R. Section 2.203(b).

To make a confidentiality claim, please write or type "CONFIDENTIAL" on all confidential responses and any related confidential documents. Confidential portions of otherwise nonconfidential documents should be clearly identified. You should indicate a date, if any, after which the information need no longer be treated as confidential. Please submit your response so that all nonconfidential information, including any redacted versions of documents are in one envelope, and all materials for which you desire confidential treatment are in another envelope.

If no such claim accompanies the information when it is received by the EPA, it may be made available to the public by the EPA without further notice to you. You should read the above cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

7. Personnel, medical files, and similar files in which the disclosure to the general public may constitute an invasion of privacy should be segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information."
8. Where specific information has not been memorialized in any document, but is nonetheless responsive to a question, you must respond to the question with a written response.

9. If information responsive to this Information Request is not in your possession, custody, or control, then identify the person from whom such information may be obtained.

10. If you have objections to some or all of the questions within the Information Request, you are still required to respond to each of the questions.

Definitions

The following definitions shall apply to the following words as they appear in **Enclosure C**:

1. The term "you" or "Respondent" shall mean James C. Barker.
2. The term "person" shall have the same definition as in Section 101(21) of CERCLA: an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, United States Government, State, municipality, commission, political subdivision of a State, or any interstate body.
3. The terms the "Site" or the "facility" shall mean and include the property on or about 333 Niels Eddy Road, Riegelwood, Columbus, North Carolina.
4. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA and includes any mixtures of such pollutants and contaminants with any other substances. Petroleum products mixed with pollutants and contaminants are also included in this definition.
5. The term "hazardous waste" shall have the same definition as that contained in Section 1004(5) of the Resource Conservation and Recovery Act (RCRA).
6. The term "hazardous material" shall mean all hazardous substances, pollutants or contaminants, and hazardous wastes, as defined above.
7. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
8. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
9. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number, if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.
10. The term "release" has the same definition as that contained in Section 101(22) of CERCLA, 42 U.S.C. Section 9601(22), and includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.
11. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including

meetings, agreement and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intra office communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc or disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with printouts of such punch card, disc, or disc pack, tape or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which it produces, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document, and (e) every document referred to in any other document.

12. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.

13. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions.

14. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, 40 C.F.R. Part 300, or 40 C.F.R. Parts 260-280, in which case the statutory or regulatory definitions shall apply.

15. The term "property interest" means any interest in real property including but not limited to, any ownership interest, including an easement, any interest in the rental of property, any interest in a corporation that owns or rents or owned or rented property, and any interest as either the trustee or beneficiary of a trust that owns or rents, or owned or rented property.

16. The term "asset" shall include the following: real estate, buildings or other improvements of real estate, equipment, vehicles, furniture, inventory, supplies, customer lists, accounts receivable, interest in insurance policies, interests in partnerships, corporations and unincorporated companies, securities, patents, stocks, bonds, and other tangible as well as intangible property.

Information Request Questions for James C. Barker

1. Identify the persons answering these questions on behalf of each Respondent, including all persons consulted in answering these questions and the documents consulted, examined, or referred to in preparation of answering these questions. Provide true and accurate copies of all such relevant documents.
2. Have you ever owned stock in Oak-Bark Corporation? If so, state:
 - (a) the dates upon which you acquired shares;
 - (b) the consideration paid or promised for the shares and the dates on which the consideration was paid or promised;
 - (c) the number of shares owned, and the percentage of shares owned as measured against the total outstanding shares of Oak-Bark Corporation;
 - (d) if either the total outstanding shares of Oak-Bark Corporation or the percentage of shares you owned changed over time, explain those changes, provide dates, and provide supporting documentation;
 - (e) the history of dividends and the dates on which dividends were received by you resulting from your ownership of capital stock in Oak-Bark Corporation.
3. Have you ever owned stock in Wright Chemical Corporation? If so, state:
 - (a) the dates upon which you acquired shares;
 - (b) the consideration paid or promised for the shares and the dates on which the consideration was paid or promised;
 - (c) the number of shares owned, and the percentage of shares owned as measured against the total outstanding shares of Wright Chemical Corporation; and,
 - (d) the history of dividends and the dates on which dividends were received by you resulting from your ownership of capital stock in Wright Chemical Corporation.
4. Describe, in detail, each position you have held with Oak-Bark Corporation from November 1, 2004, through the present. For each position, state:
 - (a) the offices or positions held and the applicable dates;
 - (b) the salary, benefits, distributions, and any other compensation paid to you on a yearly basis;
 - (c) the duties and responsibilities both on an occasional and a day-to-day basis;

- (d) the tasks you performed both on an occasional and a day-to-day basis;
 - (e) whether you ever had an on-Site office;
 - (f) whether you ever had any decision-making authority over the hazardous substances, hazardous wastes, or hazardous materials, used, purchased, generated, stored, treated, disposed, or otherwise handled at the Site. If not, identify everyone who had such authority;
 - (g) on average, how many days per week you spent at the Site; and,
 - (h) how many employees and/or contractors you supervised, oversaw, or managed.
5. Describe, in detail, each position you held with Wright Chemical Corporation from January 1, 1984, through November 1, 2004. For each position, state:
- (a) the offices or positions held and the applicable dates;
 - (b) the salary, benefits, distributions, and any other compensation paid to you;
 - (c) the duties and responsibilities both on an occasional and a day-to-day basis;
 - (d) the tasks you performed both on an occasional and a day-to-day basis;
 - (e) whether you ever had an on-Site office;
 - (f) whether you ever had any decision-making authority over the hazardous substances, hazardous wastes, or hazardous materials, used, purchased, generated, stored, treated, disposed, or otherwise handled at the Site. If not, identify everyone who had such authority;
 - (g) on average, how many days per week you spent at the Site; and,
 - (h) how many employees and/or contractors you supervised, oversaw, or managed.
6. Have you ever provided any training of any nature to any officer, director, or employee of Oak-Bark Corporation or Wright Chemical Corporation? If so, for each training, provide:
- (a) a complete description of the training;
 - (b) who it was offered to;
 - (c) who participated in it;
 - (d) when and where it was conducted; and,

- (e) the name of the corporation under which you conducted such training.
7. At any point in your tenure at Oak-Bark Corporation, were you authorized to hire or fire employees of Oak-Bark Corporation? If so, state:
- (a) each position you held which gave you such authority; and,
 - (b) the applicable dates.
8. At any point in your tenure at Wright Chemical Corporation, were you authorized to hire or fire employees of Wright Chemical Corporation? If so, state:
- (a) each position you held which gave you such authority; and,
 - (b) the applicable dates.
9. At any point in your tenure at Oak-Bark Corporation, were you authorized to negotiate or enter into contracts with vendors or contractors concerning the handling of hazardous substances at and/or disposal of hazardous wastes from the Site? If so, state:
- (a) each position you held which gave you such authority; and,
 - (b) the applicable dates.
10. At any point in your tenure at Wright Chemical Corporation, were you authorized to negotiate or enter into contracts with vendors or contractors concerning the handling of hazardous substances at and/or disposal of hazardous substances from the Site? If so, state:
- (a) each position you held which gave you such authority; and,
 - (b) the applicable dates.
11. Identify any and all of your communications with federal, state, and local environmental regulators which have concerned environmental matters at the Site, including, but not limited to, permitting, violations, non-compliance, and inspections, during your tenure at Oak-Bark Corporation. For each communication, provide:
- (a) a complete description of the communication;
 - (b) the nature (e.g. written, electronic, or verbal);
 - (c) the purpose;
 - (d) the persons involved in; and,

- (e) the date of each such communication.
12. Identify any and all of your communications with federal, state, and local environmental regulators which have concerned environmental matters at the Site, including, but not limited to, permitting, violations, non-compliance and inspections, during your tenure at Wright Chemical Corporation. For each communication, provide:
- (a) a complete description of the communication;
 - (b) the nature (e.g. written, electronic, or verbal);
 - (c) the purpose;
 - (d) the persons involved in; and,
 - (e) the date of each such communication.
13. Identify any legal or equitable property interest that you now have or previously had in the real property at or surrounding Site. In your response, provide:
- (a) the nature of your interest;
 - (b) the applicable dates;
 - (c) how you acquired such interest; and,
 - (d) from who you acquired such interest.
14. Have you ever made a loan or extended a line of credit to Oak-Bark Corporation or Wright Chemical Corporation? If so, provide:
- (a) the amount of the loan or value of the asset;
 - (b) a description of the loan or asset;
 - (c) applicable dates;
 - (d) your position at the time of the loan or line of credit;
 - (e) corporation to whom the loan or line of credit was extended;
 - (f) the balance still owed to you, if any; and,
 - (g) provide copies of any relevant documents (e.g. loan agreement, promissory note, etc.).

15. Have you ever borrowed money from Oak-Bark Corporation or Wright Chemical Corporation to secure a personal loan for yourself or establish a line of credit for yourself, whether or not such line has ever been drawn upon? If so, provide:
- (a) the amount of the loan or value of the asset;
 - (b) a description of the loan or asset;
 - (c) applicable dates;
 - (d) your position at the time of the loan or line of credit;
 - (e) who extended you the loan or line of credit;
 - (f) the balance still owed by you if any; and,
 - (g) provide copies of any relevant documents (e.g. loan agreement, promissory note, etc.).
16. Have you ever guaranteed or cosigned any obligation of Oak-Bark Corporation or Wright Chemical Corporation?
- (a) the nature of the obligation;
 - (b) the total amount of the obligation;
 - (c) the date on which you guaranteed or cosigned the obligation; and,
 - (d) provide copies of any relevant documents.
17. Has Oak-Bark Corporation or Wright Chemical Corporation ever guaranteed or cosigned any of your obligations?
- (a) the nature of the obligation;
 - (b) the total amount of the obligation;
 - (c) the date on which you guaranteed or cosigned the obligation; and,
 - (d) provide copies of any relevant documents.
18. Identify all property, pollution and/or casualty liability insurance policies issued to you from January 1, 1984, through the present. For each policy, state:
- (a) the name and address of each insurer and insured;
 - (b) the amount of coverage under each policy, and each policy number;

- (c) the dates of coverage;
 - (d) a list of claims made against any of the policies (claim number and description of claim); and,
 - (e) provide copies of any relevant documents (e.g. declarations, include all policies in their entirety).
19. Have you ever leased or rented any furnishings, fixtures, equipment, personal, or real property from or to Oak-Bark Corporation? If so, provide a complete description of the type of property leased or rented, and the terms and duration of such arrangement.
20. Have you ever leased or rented any furnishings, fixtures, equipment, personal, or real property from or to Wright Chemical Corporation? If so, provide a complete description of the type of property leased or rented, and the terms and duration of such arrangement.
21. With respect to the 2006 Asset Purchase Agreement with Hexion, please provide the following:
- (a) The amount you received of the total (b) (4) purchase price; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation regarding the disposition of this money;
 - (b) The amount you received of the (b) (4) due upon closing; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation regarding the disposition of this money;
 - (c) The amount you received of the (b) (4) allocated to wind-up costs and bonuses; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation regarding the disposition of this money;
 - (d) The amount you received from the disbursement of (b) (4) held in escrow and released pursuant to court order; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation regarding the disposition of this money.
22. With respect to the 2009 Asset Purchase Agreement with Silar, please provide the following:
- (a) The amount you received of the (b) (4) purchase price; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation indicating disposition of the money;

- (b) The amount you received of the (b) (4) due upon closing; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation indicating disposition of the money;
 - (c) The amount you received of the (b) (4) paid by promissory note; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred; and provide copies of financial and accounting documentation indicating disposition of the money;
 - (d) The amount you received upon release of the (b) (4) held in escrow; how such funds were distributed; identify all financial institutions and accounts to which such funds were transferred, and provide copies of financial and accounting documentation indicating disposition of the money.
23. Have you ever received bonuses, and/or extra funds, or assets, in addition to your annual salary, during your tenure at Oak-Bark Corporation? If so, please provide:
- (a) the years and amounts, and identify all financial institutions and accounts receiving that money;
 - (b) a narrative summary, and documentation accounting for money spent; and,
 - (c) appropriately labeled contemporaneous documentation supporting all your answers;
24. To further determine your financial ability to pay, complete the Individual Financial Data Request Form attached hereto, and provide true and accurate copies of your signed federal and state tax returns, including all schedules and attachments, for 2006 through 2019.



FINANCIAL STATEMENT OF CORPORATE DEBTOR

Submitted for Government
Action on Claims Due
To the United States

(Use Additional Sheets Where Needed)

1. Name (Debtor) _____ Type: For Profit ()
Not for Profit ()

2. Business Address _____
Street City State Zip

Note: Attach Schedule of all Business Addresses

3. Foreign _____ Domestic _____

4. Legal form of business organization during last five (5) years.

_____ Corporation _____ Subchapter S Corporation

_____ Partnership _____ Proprietorship

_____ Limited Liability Company _____ Trust

_____ Other? _____

5. State of incorporation _____ Date of incorporation _____

6. Name of registered agent _____

7. Address of registered agent _____

8. Name and address of principal stockholders. Number of shares owned by each. (If more than 7 shareholders, list only those with 5% or more stock ownership.)

Total outstanding shares _____

	<u>Name</u>	<u>Address</u>	<u>Shares</u>
(1)	_____	_____	_____

(2)	_____	_____	_____

(3)	_____	_____	_____

	<u>Name</u>	<u>Address</u>	<u>Shares</u>
(4)	_____	_____	_____

(5)	_____	_____	_____

(6)	_____	_____	_____

(7)	_____	_____	_____

9. (A) Name and address of current (and for previous five years) officers and number of shares held by each. (If more than 7 shareholders, list only those who had 5% or more ownership)

	<u>Name</u>	<u>Address</u>	<u>Shares</u>	<u>Terms</u>
(1)	_____	_____	_____	_____

(2)	_____	_____	_____	_____

(3)	_____	_____	_____	_____

(4)	_____	_____	_____	_____

(5)	_____	_____	_____	_____

(6)	_____	_____	_____	_____

(7)	_____	_____	_____	_____

- (B) Name and address of current (and for previous five years) members of board of directors and number of shares held by each. *(Attach additional sheets as needed)*

	<u>Name</u>	<u>Address</u>	<u>Shares</u>	<u>Terms</u>
(1)	_____	_____	_____	_____

(2)	_____	_____	_____	_____

(3)	_____	_____	_____	_____

(4)	_____	_____	_____	_____

(5)	_____	_____	_____	_____

(6)	_____	_____	_____	_____

(7)	_____	_____	_____	_____

10. Has this organization ever issued a prospectus for the sale of stock? YES () NO ().
If Yes, list date, number, and type of shares for each prospectus during the last five years.

- (A) Registration on national or local stock exchange(s). (Give details, including date of registration and/or delisting).

(1) _____

(2) _____

- (B) Total authorized shares for each type issued and present market value per share on each type of stock (or book value if not actively traded).

	<u>Type of Shares</u>	<u>Total Shares</u>	<u>Book Value</u>	<u>Market Value</u>
(1)	_____	_____	_____	_____
(2)	_____	_____	_____	_____
(3)	_____	_____	_____	_____
(4)	_____	_____	_____	_____

- (C) Total outstanding shares of each type of stock currently being held as treasury stock.

- (D) Total outstanding shares of each type of stock.

- (E) Amount of bonded debt and principal bondholders.

11. List states and municipalities to which taxes have been paid and/or are being paid. Describe nature and amount of such taxes, state most recent year of payment thereof and whether tax payments are current.

-
12. Has this organization filed United States income tax returns during the last 5 years?
Yes () No ()

To which Internal Revenue Service Office(s) _____

What years? _____

Are Federal tax payments current? Yes () No ()

Provide income tax returns for the latest five (5) years.

13. Name and address of:

(A) Organization's Independent Certified Public Accountants

(B) Attorney(s) retained by organization from:

_____ To _____

14. Has this organization filed financial forms with any organization or government entity? List name of organization or entity, date and type of financial form.

15. Does this organization have financial statements (i.e. income statement, balance sheet, statement of changes in financial position etc.) for the five most recent calendar or fiscal years? YES () NO ()

If yes, submit one copy of each. (Audited or certified financial statements are preferred). **If financial statements are submitted, answer only questions (2)(a), (2)(b), and (3)(a).**

(1) Assets

Amounts

	Years					
Cash	\$					
Securities	\$					
Existing						
Facilities	\$					
Equipment	\$					
Original Cost	\$					
Depreciation	\$					
Inventory	\$					
Accounts						
Receivable	\$					
Other	\$					
Total Assets	\$					

(2) Liabilities and
Stockholders
Equity

Specify Years

Loans Payable¹

Principal \$

Monthly
Payments \$

Mortgages²

Principal \$

Monthly
Payments \$

Accounts Payable \$

¹ Complete loan information as requested on page 8, under a) Loans Payable.

² Complete mortgage information as requested on page 8, under b) Mortgages Payable.

Deferred Taxes \$ _____

Insurance
Premiums \$ _____

Other \$ _____

Stockholder's Equity

Common Stock \$ _____

Paid-in-Capital \$ _____

Retained Earnings \$ _____

Total Liabilities and
Stockholder's Equity \$ _____

a) Loans Payable

	<u>Owed to/Purpose</u>	<u>Term/Interest Rate</u>	<u>Collateral/Cosigner</u>
1)	_____	_____	_____
2)	_____	_____	_____
3)	_____	_____	_____

	<u>Monthly Payments</u>	<u>Original Amount/Date</u>	<u>Collateral/Cosigner</u>
1)	_____	_____	_____
2)	_____	_____	_____
3)	_____	_____	_____

b) Mortgages Payable

	<u>Owed to/Purpose</u>	<u>Term/Interest Rate</u>	<u>Collateral/Cosigner</u>
1)	_____	_____	_____

- 2) _____
- 3) _____

	<u>Monthly Payments</u>	<u>Original Amount/Date</u>	<u>Present Balance</u>
1)	_____	_____	_____
2)	_____	_____	_____
3)	_____	_____	_____
(3)	<u>Income/Expenses</u>		

Gross Income

Net Sales	\$ _____	_____	_____	_____	_____
Interest Income	\$ _____	_____	_____	_____	_____
Dividends	\$ _____	_____	_____	_____	_____
Other	\$ _____	_____	_____	_____	_____

Operating Expenses

Wages	\$ _____	_____	_____	_____	_____
Overhead	\$ _____	_____	_____	_____	_____
Lease Pmts	\$ _____	_____	_____	_____	_____
Interest Expense	\$ _____	_____	_____	_____	_____
Cost of Sales	\$ _____	_____	_____	_____	_____
Net Income	\$ _____	_____	_____	_____	_____

a) In addition, provide the following firm size information:

(1) Number of employees _____

(2) Size of warehouse _____

(3) Number and size
Of shipments _____

Attach the following additional years for question 15 on a separate sheet: _____

16. Does this organization maintain bank accounts: YES () NO ()
If yes, give names and addresses of banks, savings and loan associations, and other such entities,
within the United States or located elsewhere. Indicate name and number of accounts and balances.

(A) Banks

<u>Name of Bank</u>	<u>Account #</u>	<u>Balance (Approximate)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(B) Savings & Loan Associations or Other Such Entities

<u>Name of Entity</u>	<u>Account #</u>	<u>Balance (Approximate)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

(C) Trust Account(s)

<u>Name of Entity</u>	<u>Account #</u>	<u>Balance (Approximate)</u>
_____	_____	_____

(D) Other Account(s)

<u>Name of Entity</u>	<u>Account #</u>	<u>Balance (Approximate)</u>

17. List all commercial paper, negotiable or non-negotiable in which the organization has any interest whatsoever, presently in transit or in the possession of any banking institution. Describe such paper and the organization's interest therein, and state its present location. List all accounts and loans receivable in excess of \$300.00 and specify if due from an officer, stockholder, or director.

18. Has this organization engaged in any joint loan agreements, including letters of credits, with any other organization(s)? YES () NO () If yes, describe all such agreements.

19. Does this organization have any debt coinsured by another organization? YES () NO () If yes, describe all such agreements.

-
20. List all equity participation in other organizations both domestic and foreign in which this organization has an interest, including the type, amount and terms of such interest.
-
-

-
21. List all debt participation in other organizations both domestic and foreign in which this organization has an interest, including the type, amount and terms of such interest.
-
-
-

22. Is this organization presently:

(A) Active
(Answer no for inactive; but,
still in business) Yes () No ()

(B) Void and/or terminated
State authorities Yes () No ()

(C) Otherwise dissolved

1) Date _____

2) By whom _____

3) Reason _____

23. (A) List corporate salaries to and/or drawings of the following personnel for the last five taxable years:

Position (Including officers)	Specify Year					
President	\$	_____	_____	_____	_____	_____
Chairman/Board	\$	_____	_____	_____	_____	_____

Secretary	\$	_____	_____	_____	_____	_____
Treasurer	\$	_____	_____	_____	_____	_____
Member(s) – LLC	\$	_____	_____	_____	_____	_____
Other _____	\$	_____	_____	_____	_____	_____

(B) List the five most highly compensated employees or officers other than above, describe position and set forth annual salary and/or bonus for last five taxable years:

	<u>Name</u>	<u>Position</u>	<u>Specify Year</u>	_____	_____	_____	_____	_____
1.	_____	_____	\$	_____	_____	_____	_____	_____
2.	_____	_____	\$	_____	_____	_____	_____	_____
3.	_____	_____	\$	_____	_____	_____	_____	_____
4.	_____	_____	\$	_____	_____	_____	_____	_____
5.	_____	_____	\$	_____	_____	_____	_____	_____

(C) Describe the nature of the compensation paid to the persons listed in (A) and (B) above and set forth any stock options, profit sharing, royalties, or other deferred compensation rights of said persons.

24. List organizations commercial activity (fields of activity resulting in income) and SIC Code.

	<u>Commercial Activity</u>	<u>SIC Code</u>
Primary	_____	_____
Other 1.	_____	_____
Other 2.	_____	_____

Other 3. _____

25. List all other supplementary fields of activity in which this organization is engaged, either directly, through subsidiaries, or affiliates, stating the name(s) and state(s) of incorporation of such subsidiaries or affiliates.

26. Has this organization at any time been the subject of any proceeding under the provisions of any state insolvency law or the Federal Bankruptcy Act, as amended? YES () NO ()
If yes, supply the following information as to each such proceeding:

(A) Date (Commencement) _____

(B) Date (Termination) _____

(C) Discharge or other disposition, if any, and operative effect thereof:

(D) State Court _____ Federal Court _____
County District

(E) Docket No. _____

27. (A) List all real estate, and personal property of an estimated value in excess of \$500.00 owned or under contract to be purchased by this organization and where located:

(B) List and describe all judgments, recorded and unrecorded:

Against the organization

In favor of the organization

- (C) List and describe all other encumbrances against real estate owned by the organization:
(include but not limited to mortgages, recorded or unrecorded)
-
-
-
-

- (D) List and describe all other encumbrances (including but not limited to security interest,
whether preferred or not) against any such personal property owned by the organization as is
listed in 27 (A) above.
-
-
-
-

- (E) List and describe location of real state, including real estate being purchased under contract,
with name and address of seller and contract price:
-
-
-
-

28. List all life insurance, now in force on any or all officers, directors, and/or key employees, setting forth face amounts, names of life insurance companies and policy numbers where this organization has an Ainsurable interest@ and/or is paying the premium or part of same. Where applicable, indicate under which policy(s) this organization is a beneficiary, type policy(s), yearly premium and location of policy(s). In addition, describe the conditions of and borrowing options available under each policy.

29. For the following types of policies, list all primary and excess insurance policies, the deductible amounts, per occurrence and aggregate coverage limit for each policy. List all policies held by the firm (or predecessor firms) starting from the date which the pollution incident began. *Include the name and address of each insurer, policy numbers and the effective dates for each policy*

(A) Comprehensive general liability

(B) Environmental impairment liability

(C) Other policies for which coverage might apply including participation in risk retention pools.

(D) Other

30. List all transfers of any and all assets, real and/or personal property (over \$300.00) made by this organization OTHER THAN IN THE ORDINARY COURSE OF BUSINESS, during the last three (3) calendar years and state to whom transfer was made. Describe compensation paid by recipient and to whom.

<u>Date</u>	<u>Amount</u>	<u>Property Transferred</u>	<u>To Whom</u>	<u>Conditions of Transfer</u>
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>

31. Is this corporation a party in any lawsuit now pending? YES () NO ()
If yes, give details below

32. Please list names and addresses of any persons or other business entity, holding funds in escrow or trust for this organization, or any of its subsidiaries or affiliates.

33. Other information requested:

34. Additional remarks:

35. **VERIFICATION AND AFFIDAVIT**

With knowledge of the penalties for false statements provided by 18 United States Code 1001 (\$10,000 fine and/or five (5) years imprisonment) and with knowledge that this financial statement is submitted by me as a responsible officer of this organization to affect potential action by EPA and the Department of Justice, I hereby certify that I believe I completely understand the above statement, and that it is a true and complete statement of all organization income and assets, real and personal, whether held in the company name or otherwise.

Date: _____

Affiant (Officer) Name - Printed

Corporate Position

Signature



Individual Ability To Pay Claim Financial Data Request Form

This form requests information regarding your financial status. The data will be used to evaluate your ability to pay for environmental cleanup or penalties. If you need more space for your answers, please attach additional sheets of paper. Note that further documentation may be requested for any of your responses. Any other information you wish to provide supporting your case is welcome, particularly if you feel your situation is not adequately described through the information requested here.

Name:	
Spouse's Name:	
Address:	
County of Residence:	

PART I. BACKGROUND INFORMATION

1. MEMBERS OF HOUSEHOLD (List the head of the household and all persons living with you)			
Name	Age	Relationship to Head of Household	Currently Employed?

2. EMPLOYMENT (List all jobs held by applicant and spouse.)			
Name	Employer	Length of Employment	Annual Salary

3. INCOME (List all income earned by persons in household. If members of the household other than the applicant and spouse earn income, please itemize on separate page.)

Source	Gross (Pre-Tax)		Period of Payment (check one)			
	Applicant	Spouse	Weekly	Monthly	Quarterly	Yearly
Wages/Salaries						
Sales Commissions						
Investment Income (interest, dividends, capital gains, etc.)						
Net Business Income						
Rental Income						
Retirement Income (Pension, Social Security, etc.)						
Child Support						
Alimony						
Other Income (please itemize)						

PART II. CURRENT LIVING EXPENSES

Please list personal living expenses which were typical during the last year and indicate if any of these values are likely to change significantly in the current year. Please do not include business expenses. If you are the owner of an operating business, please attach any available financial statements.

Expense	Amount	Period of Payment (check one)				For Agency Use Only
		Weekly	Monthly	Quarterly	Yearly	
A. Living Expenses						
1. Rent						
2. Home maintenance						
3. Auto fuel maint./other transp. other transportation						
4. Utilities						
a. Fuel (gas,oil,wood,propane)						
b. Electric						
c. Water/sewer						
d. Telephone						
5. Food						
6. Clothing, personal care						
7. Medical costs						
B. Debt Payments						
1. Mortgage payments						
2. Car payments						
3. Credit card payments						
4. Educational loan payments						
C. Insurance						
1. Household insurance						
2. Life insurance						
3. Automobile insurance						
4. Medical insurance						
D. Taxes						
1. Property taxes						
2. Federal income taxes						
3. State income taxes						
4. FICA						
E. Other Expenses						
1. Childcare						
2. Current School tuition/expenses						
3. Legal or professional services						
4. Other (itemize on separate page)						
Total Current Expenses						

PART III. NET WORTH

Please provide the following information to the best of your ability. Data should be as current as possible. Estimates are acceptable; if you wish note such items with an "E". If you are the sole proprietor of a business, please list business assets and liabilities to the extent that the information sought is not already provided in your tax returns, in addition to personal assets and liabilities. Please mark these entries with a "B" to identify them as business assets and liabilities.

1. BANK ACCOUNTS (Checking, NOW, Savings, Money Market, CDs etc.)		
Name of Bank or Credit Union	Type of Account	Current Balance
For Agency Use Only - Total Current Balance in Bank Accounts		

2. INVESTMENTS (Stock, Bonds, Mutual Funds, Options, Futures, Real Estate Investment Trusts (REIT), etc.)		
Investment	Number of Shares or Units	Current Market Value
For Agency Use Only - Total Current Market Value of Investments		

3. RETIREMENT FUNDS AND ACCOUNTS (IRA, 401(k), Keogh, vested interest in company retirement fund, etc.)

Description of Account	Estimated Market Value
For Agency Use Only - Total Estimated Market Value of Retirement Funds and Accounts	

4. LIFE INSURANCE POLICIES (Whole Life, Universal Life, etc.)

Policy Holder	Issuing Company	Policy Value	Cash Value
For Agency Use Only - Total Value of Life Insurance Policies			

5a. VEHICLES USED FOR COMMUTING PURPOSES

(Cars, Trucks, Motorcycles, etc. Only list up to two vehicles used for commuting purposes.)

Model/Year	Estimated Market Value	Loan (if any) Owed to:	Balance Due:	Start Date	End Date
For Agency Use Only - Total Estimated Market Value of Vehicles					

5b. OTHER VEHICLES (Cars, Trucks, Motorcycles, Recreational Vehicles, Motor Homes, Boats, Airplanes etc.) Attach separate sheets, if necessary.

Model/Year	Estimated Market Value	Loan (if any) Owed to:	Balance Due:	Start Date	End Date
For Agency Use Only - Total Estimated Market Value of Vehicles					

6. PERSONAL PROPERTY (Household Goods and Furniture, Jewelry, Art, Antiques, Collections, Precious Metals, etc. Only list items with a value greater than \$500.00)

Type of Property	Estimated Market Value	Loan (if any) Owed to:	Balance Due:	Start Date	End Date

For Agency Use Only - Total Estimated Market Value of Personal Property

7a. REAL ESTATE — PRIMARY RESIDENCE (Home — List only one such residence.)

Location & Description of Property	Estimated Market Value	Mortgage (if any) Owed to:	Balance Due:	Start Date	End Date

For Agency Use Only - Total Estimated Market Value of Real Estate

7b. OTHER REAL ESTATE (Land, Buildings, Land with Buildings)

Location & Description of Property	Estimated Market Value	Mortgage (if any) Owed to:	Balance Due:	Start Date	End Date

For Agency Use Only - Total Estimated Market Value of Real Estate

8. OTHER ASSETS					
Type of Asset	Estimated Market Value	Loan (if any) Owed to:	Balance Due:	Start Date	End Date
For Agency Use Only - Total Other Assets					

9. CREDIT CARDS AND LINES OF CREDIT		
Credit Card/Line of Credit (Type)	Owed To	Balance Due
For Agency Use Only - Total Balance Due on Credit Cards and Lines of Credit		

10. OTHER DEBT (Amounts due to individuals, Fixed obligations, Taxes Owed, Overdue Alimony or Child Support, etc.)				
Type of Debt	Owed To	Balance Due	Start Date	End Date
For Agency Use Only - Total Balance Due on Other Debt				

PART IV. ADDITIONAL INFORMATION

Please respond to the following questions. For any question that you answer "Yes," please provide additional information on separate pages or at the bottom of this page.

QUESTION		YES	NO
1.	Do you have any reason to believe that your financial situation will change during the next year?		
2.	Are you currently selling or purchasing any real estate?		
3.	Is anyone (or any entity) holding real or personal property on your behalf (e.g. a trust)?		
4.	Do you hold partnership interest in a partnership or own/share ownership in a corporation?		
5.	Are you a party in any pending lawsuit?		
6.	Have any of your belongings been repossessed in the last three years?		
7.	Are you a Grantor, Trustee, Executor, or Administrator? If you are a Grantor, submit copy of trust as well the attachments & schedules.		
8.	Are you a participant or beneficiary of an estate or profit sharing plan?		
9.	Have you declared bankruptcy in the last seven years?		
10	Do you receive any type of federal aid or public assistance?		

VERIFICATION AND AFFIDAVIT

Under penalties of perjury, I declare that this statement of assets, liabilities, and other information is true, correct, and complete to the best of my knowledge and belief. I further understand that I will be subject to prosecution by the U.S. Environmental Protection Agency to the fullest extent possible under the law should I provide any information that is not true, correct, and complete to the best of my knowledge.

Date: _____

Name

Signature

OAK-BARK CORPORATION
BALANCE SHEETS
December 31, 2014 and 2013

(b) (4)

(b) (4)

OAK-BARK CORPORATION
BALANCE SHEETS
December 31, 2013 and 2012

(b) (4)

OAK-BARK CORPORATION
BALANCE SHEETS
December 31, 2012 and 2011

(b) (4)

OAK-BARK CORPORATION
BALANCE SHEETS
December 31, 2011 and 2010

(b) (4)

OAK-BARK CORPORATION
BALANCE SHEETS
December 31, 2010 and 2009

(b) (4)

OAK-BARK CORPORATION
STATEMENTS OF INCOME AND COMPREHENSIVE INCOME
For the years ended December 31, 2014 and 2013

(b) (4)

OAK-BARK CORPORATION
STATEMENTS OF INCOME AND COMPREHENSIVE INCOME
For the years ended December 31, 2013 and 2012

(b) (4)

OAK-BARK CORPORATION
STATEMENTS OF INCOME AND COMPREHENSIVE INCOME
For the years ended December 31, 2012 and 2011

(b) (4)

OAK-BARK CORPORATION
STATEMENTS OF INCOME AND COMPREHENSIVE INCOME
For the years ended December 31, 2011 and 2010

(b) (4)

OAK-BARK CORPORATION
STATEMENTS OF INCOME AND COMPREHENSIVE INCOME
For the years ended December 31, 2010 and 2009

(b) (4)

OAK-BARK CORPORATION
STATEMENTS OF STOCKHOLDERS EQUITY
For the years ended December 31, 2014 and 2013

(b) (4)

OAK-BARK CORPORATION
STATEMENTS OF STOCKHOLDERS EQUITY
For the years ended December 31, 2013 and 2012

(b) (4)

OAK-BARK CORPORATION
STATEMENTS OF STOCKHOLDERS EQUITY
For the years ended December 31, 2012 and 2011

(b) (4)

OAK-BARK CORPORATION
STATEMENTS OF STOCKHOLDERS EQUITY
For the years ended December 31, 2011 and 2010

(b) (4)

OAK-BARK CORPORATION
STATEMENTS OF STOCKHOLDERS EQUITY
For the years ended December 31, 2010 and 2009

(b) (4)